

United States District Court
for the
WESTERN DISTRICT OF TEXAS

FILED

APR - 5 2011

Petition for Warrant or Summons for Offender Under Supervision
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK
Case Number: DR-09-CR-231 (01)

Name of Offender: Geoffrey Moncada

Name of Sentencing Judicial Officer: Honorable Alia Moses, United States District Judge

Date of Original Sentence: October 15, 2009

Date of Revocation: August 9, 2010

Original Offense: 8 U.S.C. § 1324(a)(1)(A)(v) & (B)(i) - Conspiracy to Transport Illegal Aliens

Original Sentence: Time Served and 3 years supervised release

Sentence at Revocation: 9 months imprisonment and 25 months supervised release.

Type Of Supervision: Supervised Release

Date Supervision Commenced: March 4, 2011

Assistant U.S. Attorney: Benjamin Seal

Defense Attorney: Juan Neri III

PETITIONING THE COURT

 X To issue a WARRANT.

 To Issue a WARRANT and TRANSFER JURISDICTION to the Western District of Texas.

 To issue a SUMMONS

The probation officer believes the offender has violated the following conditions of supervision:

Violation Number

Nature of Noncompliance

1. **Mandatory Condition No. 1. The defendant shall not commit another federal, state, or local crime during the term of supervision.**

According to the Zavala County Sheriff's Department, the offender is a suspect for Deadly Conduct charges in Crystal City, Texas. According to the officer's report, on March 20, 2011, Mr. Moncada was the driver of a vehicle with three other passengers. The offender was involved in a high speed car chase. He was driving next to the victim's vehicle while his passengers were throwing beer bottles at the victim's car. The offender was able to use his vehicle to force the victim to make a complete stop. The victim got out of his car and noticed one of the passengers, in the offender's vehicle, get out of the vehicle with a gun sticking out of his side pocket. The victim got back into his car and drove off. The offender followed the victim and a second car chase incurred. The offender drove his vehicle and swerved into the victim's car. One of the passengers in the victim's vehicle was 8 months pregnant. The offender drove his vehicle next to the victim's car while one of his passengers pointed a gun at the victim. The victim stated the gun was a 9 mm automatic handgun. The victim was eventually able to obtain assistance from a local police officer parked on the side of the road.

2. **Standard Condition No. 9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer.**

As noted above, the offender associated with a group of individuals who, along with the offender, engaged in criminal activity. They intentionally and knowingly attempted to cause harm to another. Additionally, as reported by the victim and in the police reports, one of these individuals possessed a weapon.

U.S. Probation Officer Recommendation:

The offender began his original term of supervised release on October 15, 2009. On August 9, 2010, his case was revoked because he failed to remain arrest free, failed to notify the probation officer of an arrest within 72 hours, failed to pay his special assessment and failed to attend his drug treatment sessions as required.

The offender began his second term of supervised release on March 4, 2011. Within 16 days of the commencement of his second term of supervised release, he again violated his conditions of supervised release. Mr. Moncada has a history of assaultive behavior. During his previous term of supervision, he was arrested twice for assault. The offender is a danger to himself and others. Mr. Moncada's attitude toward supervision has been very negative and he does not appear to take his second term of supervision seriously.

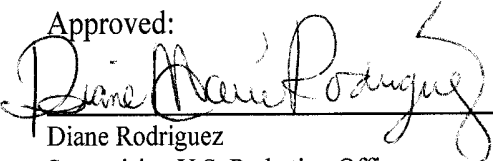
The term of supervision should be

X revoked. (Maximum penalty: 2 years imprisonment; 27 months supervised release; and payment of any unsatisfied monetary sanction previously imposed)

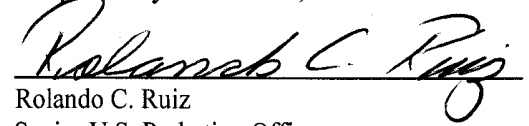
___ extended for _____ years, for a total term of _____ years.

___ The conditions of supervision should be modified as follows:

Approved:

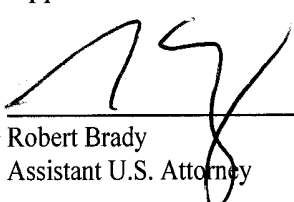

Diane Rodriguez
Supervising U.S. Probation Officer

Respectfully Submitted,


Rolando C. Ruiz
Senior U.S. Probation Officer,
Date: April 1, 2011
Telephone #: 830-703-2089, ext. 285

xc: Victor Casillas
Assistant Deputy Chief Probation Officer

Approved:


Robert Brady
Assistant U.S. Attorney

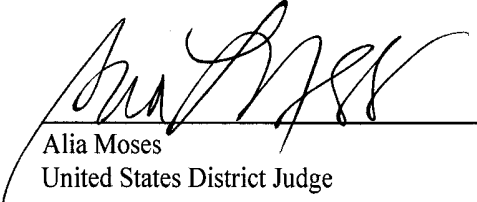
THE COURT ORDERS

☐ No Action

☒ The issuance of a WARRANT. Bond is set in the amount of \$ Detain cash / surety with supervision by the United States Probation Office to continue as a condition of release.

☐ The issuance of a SUMMONS.

☐ Other


Alia Moses
United States District Judge

4/5/11

Date